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C O N F I D E N T I A L SECTION 01 OF 02 ADDIS ABABA 000321

SIPDIS

STATE FOR AF/FO, AF/RSA, AND AF/SPG

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TAGS: [PREL](#) [PGOV](#) [AU](#) [SU](#) [CD](#)

SUBJECT: AU SUMMIT -- AF ACTING A/S CARTER MEETS WITH EU
SPECIAL ENVOY TORBEN BRYLLE

Classified By: AMBASSADOR DONALD YAMAMOTO, REASONS 1.4 (B) AND (D).

11. (C) Begin Summary: AF Acting Assistant Secretary Phillip Carter, joined by Ambassador Yamamoto and Sudan Programs Groups Director Timothy Shortley met with EU Special Envoy Torben Brylle January 31, on the margins of the AU Summit in Addis Ababa. Carter discussed the potential impact of the impending International Criminal Court (ICC) arrest warrant for Sudanese President Bashir. Brylle and Carter agreed that a coordinated and measured approach should be adopted to enable continued engagement with all of the involved parties.
End Summary.

12. (C) Brylle said Sudan had failed to demonstrate the political will to solve its issues and had not undertaken the broad action to warrant a deferment. He noted that the GOS adopted a two track approach of 1) guarding themselves against the ICC arrest by rallying support and sympathy from the Arab world and 2) embarking on a semblance of opening the political space through the Sudan People,s Initiative (SPI).
He emphasized that the EU, like the rest of the international community, could not support an Article XVI without real actions and change on the ground.

13. (C) Brylle dismissed the AU rhetoric that an ICC indictment will undermine the peace process, pointing out that "the train had left the station" and the moment for an Article XVI was long gone. Though Carter and Brylle agreed that an ICC indictment could impact the Darfur peace process as some rebel movements may refuse to negotiate under the pretext that GOS would be an illegitimate government, both dismissed the idea of it bringing the process to a halt.

14. (C) Both discussed the aftermath of the ICC indictment, underscoring that a measured approach should be the strategy of all interlocutors to minimize the adverse impact. Brylle suggested the P3 adopt a low-key stance while still holding Sudan to past agreements of CPA implementation, facilitating UNAMID deployment, and urging it to act responsibly and refrain from attacking civilians. Carter raised the issue of how the international community would engage with Sudan, with an indicted president. Brylle explained in his capacity as EU envoy, he is obliged to maintain communication with the government; he predicted that lack of engagement could engender more damaging consequences.

15. (C) Carter noted that the United States would continue to engage with the Government of Sudan following the ICC warrant against Bashir. His main concern was that Sudan refrain from engaging in reprisals and ensure the security of foreigners operating in Sudan. Brylle cautioned that though Vice

President Taha and Salah Gosh have said they would not overreact, the international community should prepare for "trouble days." He said he also recently spoke to the Justice and Equality Movement (JEM) cautioning them to exercise restraint and not overreact. (Note: As reported SEPTTEL, Bassole has given indications that, assuming the arrest warrant is issued, JEM may seek to attack Khartoum in an effort to capture Bashir. End note.)

¶16. (C) Carter and Brylle agreed that the impact of the ICC indictment on the CPA needed to be taken into consideration. Carter noted that progress and backsliding in Darfur would continue to fluctuate, but he sees lack of CPA implementation as the real security threat, with far more disconcerting consequences. He deplored the delays in elections preparation, and raised concern about the linkage of the CPA to Darfur, and a possible dubious JEM/SPLM alliance. Brylle admitted that the international community had not been vigilant in its follow-up of the electoral law and elections preparations. He said he recently received a briefing that painted a bleak picture and it was unlikely that elections could be held in 2009. He elaborated that if the analysis and conclusions of the briefing were right, then the country might be heading to civil war. He intimated that in his opinion, the SPLM has not done a thorough analysis of the dynamics of the situation, but are simply focused on the referendum.

¶17. (C) Brylle said a comprehensive look at Sudan was the solution, and Darfur was only one element. He reported that the EU was preparing technical seminars to look at governance

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and the consequences of the referendum in 2011. He underscored that the Southerners would benefit from an in-depth look at the positive aspects of unity, as well as the consequences of secession. Shortley informed that the United States has also funded a similar project through the U.S. Institute of Peace (USIP). Carter proposed an EU/U.S. collaboration on this project for better impact.

¶18. (C) Brylle also noted the issue of reconstruction and development. He suggested the P3 urge Bassole to add this very important component into the peace process. He said unless people genuinely see a possibility for improvement in their lives, the peace process may not achieve its goal, and we risk a renewal of hostilities.

¶19. (U) Acting A/S Carter approved this message.
YAMAMOTO